

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
Nov 19 2023 DIVISION

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TREY CRANDER, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Branden Collins

PLAINTIFF

v.

CASE ACTION NO.: 2:23-cv-231-RAH-CWB

Alabama State University

JURY DEMAND (MARK ONE)

☒ YES ☐ NO

DEFENDANT

EEOC COMPLAINT

1. Plaintiff resides at P.O BOX 231285, Montgomery, AL 36123
2. Defendant(s)' name(s) Alabama State University(ASU)

Location of principal office(s) of the named defendant(s) P.O Box 271 Montgomery, AL
36102-0271

Nature of defendant(s)' business Public College

Approximate number of individuals employed by defendant(s) 100-500
3. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is specifically conferred on the Court by 42 U.S.C. §2000e-5. Equitable and other relief are also sought under 42 §2000e-5(g).
4. The acts complained of in this suit concern:
 1. ☐ Failure to employ me.
 2. ☒ Termination of my employment.
 3. ☐ Failure to promote me.
 4. ☒ Other acts as specified below: Disability discrimination and retaliation.

5. Plaintiff is:

A. ☐ Presently employed by the defendant.☒ Not presently employed by the defendant. The dates of employment were March 7, 2011- Oct. 29, 2020 Employment was terminated because:

- (1) ☒ Plaintiff was discharged.
 (2) ☐ Plaintiff was laid off.
 (3) ☐ Plaintiff left job voluntarily.

6. Defendant(s)' conduct is discriminatory with respect to the following:

A. ☐ My race.B. ☐ My religion.C. ☐ My sex.D. ☐ My national origin.E. ☒ Other, as specified below: disability discrimination, association with a disabled individual, and retaliated against.7. The name(s), race, sex, and the position or title of the individual(s) who allegedly discriminated against me during the period of my employment with the defendant company is (are) (Kelvin Kendrick, black male, Director of Public Safety). (Tony Simmons black male, Chief of Police). (Stoney Davis, black male, 2nd shift supervisor) (Regainald Smith, black male, Lt. supervisor). Derrck Carr, black male, Human R8. The alleged discrimination occurred on or about Dec. 19, 2019- Oct. 29, 20209. The nature of my complaint, i.e., the manner in which the individual(s) named above discriminated against me in terms of the conditions of my employment, is as follows: I am an individual with a disability and I am a caretaker for a family member with a disability. I was hired by the above named employer in January 2011 as a Police Officer. On March 11, 2020, I submitted a letter to the Chief of Police outlining my disability and the concerns I had in relation to COVID-19. On June 25, 2020, I submitted a letter of grievance in reference to unfair treatment in the workplace, and how I was being targeted by my supervisor due to what I consider discrimination and retaliation. On June 29, 2020, Director of Public Safety, Chief Kendrick, gave me instructions about my assignment and where I would be working during on campus unemployment appointments for the state. On June 30, 2020, I was advised by Sgt. Davis to work the event. I proceeded to the outside assignment, as previously discussed, and conducted my duties. Sgt. Davis advised me to go inside and work, despite him knowing my COVID-19 concerns and being (continued)10. The alleged illegal activity took place at 1452 Carter Hill Rd. Montgomery, AL 36104 (Alabama State University)

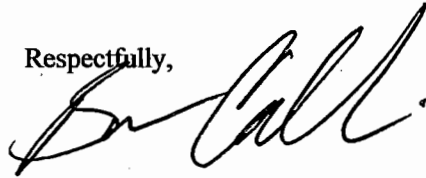
Question #9 continued.

aware of my disability. I was then advised by Sgt. Davis to go relieve the dispatcher from dispatch. I proceeded to relieve the dispatcher and arrived around 4:20pm at police headquarters. At 6:30pm, I went outside to my vehicle to look for and take prescription medication because I was not feeling well. Sgt. Davis and another officer pulled up and went inside the police department. When Sgt. Davis came out, he immediately began to go into a rage and shout asking why I left. On July 1, 2020, I was summoned to the police department by Sgt. Davis and given a written reprimand.

On September 2, 2020, I was informed by Sgt. Davis that my schedule would change, and I would be switching off days with another officer. I informed Sgt. Davis that my days off had been approved for 6 years since my son was born (I take care of my son who has a disability) and I was not able to work the new schedule at the time. I informed my chain of command (Director Kendrick, Chief Simmons) of the matter and was forced to take FMLA on September 3, 2020. On October 28, 2020, I informed my chain of command that I would be taking the full 12 weeks of FMLA leave that was approved through Human Resources. On October 29, 2020, I was contacted and advised by Human Resources that my employment was being terminated, based on a reprimand dated July 1, 2020.

I believe I have been discriminated against because of my disability, association with a disabled individual, and retaliated against.

Respectfully,

A handwritten signature in black ink, appearing to be "B. Call", written over the word "Respectfully,".

11. I filed charges with the Equal Employment Opportunity Commission regarding defendant(s) alleged discriminatory conduct on or about April 16, 2021.

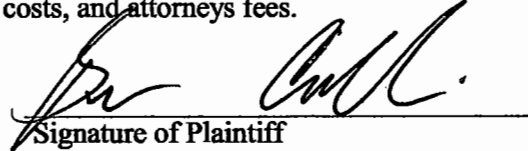
I have attached a copy of the Notice-of-Right-to-Sue letter issued by the Equal Employment Opportunity Commission. The letter was received by me on 1/27/2023.

12. I seek the following relief:

A. ☒ Recovery of back pay.

B. ☒ Reinstatement to my former job, and any other relief as may be appropriate, including injunctive orders, damages, costs, and attorneys fees.

Date: 4/25/2023


Signature of Plaintiff

P.O Box 231285

Montgomery, AL 36123

205-219-1101

Address & Telephone Number of Plaintiff